

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ALLSTATE INDEMNITY COMPANY, §
A/S/O ERIK PARK, §
§
Plaintiff, §
§
v. §
§
§
§
SAMSUNG ELECTRONICS §
AMERICA, INC., SAMSUNG §
ELECTRONICS CO., LTD., §
§
§
§
Defendants. §

Civ. Case No. 4:25-cv-661

**DEFENDANT SAMSUNG ELECTRONICS AMERICA, INC.’S
NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Please take notice that DEFENDANT SAMSUNG ELECTRONICS AMERICA, INC. (hereinafter “SEA”) hereby removes to the United States District Court for the Eastern District of Texas, Sherman Division, the State Court action described below, pursuant to 28 U.S.C. §§ 1332(a)(1), 1441(b)(1), and 1446. In support of the removal and in accordance with 28 U.S.C. § 1446(a) and (b)(1), defendant states as follows:

1. PLAINTIFF ALLSTATE INDEMNITY COMPANY, A/S/O ERIK PARK (hereinafter “Plaintiff,”) filed a civil action against SEA and SAMSUNG ELECTRONICS CO., LTD. (hereinafter “SEC”) on May 21, 2025 and served SEA on May 22, 2025, styled ALLSTATE INDEMNITY COMPANY A/S/O ERIK PARK and SAMSUNG ELECTRONICS AMERICA, INC. AND SAMSUNG ELECTRONICS CO., LTD.; Cause No. CV-2025-01865; In the County

Court of Denton County, Texas (hereinafter “State Court Action”). Pursuant to 28 U.S.C. §§ 1441 and 1446, SEA removes this action to the United States District Court for the Eastern District of Texas, Sherman Division, which is the judicial district and division in which the action is pending.

2. Plaintiff contends in the State Court Action that on or about June 4, 2024, water damage, allegedly involving a Samsung-branded refrigerator, occurred in its insured’s property causing damages. A copy of Plaintiff’s Original Petition filed in the State Court Action is attached hereto as **Exhibit “1.”**

3. Defendant is filing contemporaneously herewith a Notice of Index of State Court documents with a copy of process, pleadings, and orders in the State Court Action which have been served upon them, as required by 28 U.S.C. §1446(a) and Local Civil Rule 81.1(4).

I. JURISDICTION AND VENUE

4. The action is a civil action of which this Court has original jurisdiction under Title 28 U.S.C. § 1332 (Diversity Jurisdiction), and is one that may be removed to this Court pursuant to Title 28 U.S.C. § 1441. There is complete diversity of citizenship amongst the parties.

5. Upon information and belief, Plaintiff is incorporated and has its principal place of business in Texas. Therefore, Plaintiff is a citizen of Texas.

6. The Defendant SEA is a New York corporation with its principal place of business in New Jersey.

7. Defendant Samsung Electronics Co., Ltd. is a foreign corporation created under the laws of South Korea with its principal place of business in Seoul, South Korea.

8. Complete diversity of citizenship exists between Plaintiff and Defendants.

9. Venue is proper in the Eastern District of Texas, Sherman Division, because this district and division embrace Denton County, Texas, the place in which the State Court Action is

pending and where a substantial part of the events giving rise to Plaintiff's claims are alleged to have occurred. 28 U.S.C. §§ 124(1)(5).

10. The amount in controversy exceeds the sum of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00), exclusive of interest and costs. Pursuant to Plaintiff's Original Petition, Plaintiff alleges damages and monetary relief in excess of Two Hundred Fifty Thousand Dollars and 00/100 Dollars (\$250,000.00). *See Exhibit "1"*, Plaintiff's Original Petition.

11. SEA was served with process on May 22, 2025. See **Exhibit "2"**, Affidavit of Service.

12. To SEA's knowledge, co-defendant SEC has not been served with process. Therefore, SEA has not been informed that any other defendants who have been named, joined, and served, oppose the removal of this action pursuant to 28 U.S.C. § 1446(b)(2). *Carrington Court Homeowners Ass'n v. Phila. Indem. Ins. Co*, 2018 U.S. Dist. LEXIS 235410, at *4 (N.D. Tex. Feb. 1, 2018), quoting 28 U.S.C. § 1446(b) ("28 U.S.C. § 1441(b) provides that diversity actions shall be removable 'only if none of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.'").

13. This Notice of Removal is filed within thirty days of SEA's receipt of process of the Plaintiff's Original Petition, and within one year of the commencement of the action, so it is timely filed under 28 U.S.C. §§ 1446(b)(3) and 1446(c).

14. Additionally, this Court would have original subject matter jurisdiction of this action under the provisions of 28 U.S.C. § 1332 if the action had originally been brought in Federal Court. Accordingly, SEA may properly remove the State Court action pursuant to 28 U.S.C. § 1441.

II. ATTACHMENTS

15. In accordance with 28 U.S.C. § 1446(a) and L.R. 81.1, the following documents are filed and attached:

- A completed cover sheet;
- An index of all documents filed in the state court that clearly identifies each document and indicates the date the document was filed (*see Exhibit “3”*);
- A copy of the docket sheet in the state court action;
- Each document filed in the state court action filed as a separate attachment; and
- A separately signed certificate of interested persons that complies with LR 31.(c) attached to this notice.

III. NOTICE TO STATE COURT

16. Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of Defendant’s Notice of Removal was promptly given to all parties and to the clerk of the County Court at Law No. 2 of Denton County, Texas on June 20, 2025.

17. Pursuant to Federal Rule of Civil Procedure 38, Defendant demands a jury trial. Defendant also timely demanded a jury trial in the state court on June 16, 2025. SEA served written notice on Plaintiff of the filing of this Notice of Removal and has also served a true and correct copy with the State Court, as required by 28 U.S.C. § 1446(d).

Respectfully submitted,

**WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER, L.L.P.**

By: /s/ Allison J. Maynard
Allison J. Maynard
State Bar No. 24055923
Allison.maynard@wilsonelser.com
Santander Plaza
1601 Elm Street,
Suite 2600
Dallas, TX 75201
Telephone: 214-698-8082
Facsimile: 214-698-1101

COUNSEL FOR DEFENDANT

**SAMSUNG ELECTRONICS AMERICA,
INC.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing instrument has been duly and properly served upon all counsel herein in accordance with the Texas Rules of Civil Procedure, on this the 20th day of June, 2025.

LAW OFFICES OF PAUL VIGUSHIN, P.C.

Paul Vigushin
State Bar No. 00797600
2201 N. Central Expy., Ste. 115
Richardson, TX 75080
(972) 705-9911
paul@pv-law.com

Attorneys for Plaintiff
**ALLSTATE INDEMNITY COMPANY,
A/S/O ERIK PARK**

/s/ Allison J. Maynard
Allison J. Maynard

EXHIBIT 1



05/22/2025

CT Log Number 549195289

Service of Process Transmittal Summary

TO: Ken Murata, Senior Legal Counsel
 SAMSUNG ELECTRONICS AMERICA, INC.
 85 Challenger Rd Fl 7
 Ridgefield Park, NJ 07660-2118

RE: **Process Served in Texas**

FOR: Samsung Electronics America, Inc. (Domestic State: NY)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: ALLSTATE INDEMNITY COMPANY, A/S/O ERIK PARK // To: Samsung Electronics America, Inc.

CASE #: CV202501865

NATURE OF ACTION: Product Liability Litigation - Manufacturing Defect

PROCESS SERVED ON: CT Corporation System, Dallas, TX

DATE/METHOD OF SERVICE: By Process Server on 05/22/2025 at 11:46

JURISDICTION SERVED: Texas

ACTION ITEMS: SOP Papers with Transmittal, via UPS Next Day Air , 1ZX212780132185468

Image SOP

Email Notification, Ken Murata ken.murata@sea.samsung.com

Email Notification, Alessandra Higer alessandra.s@sea.samsung.com

Email Notification, Michael Sharples m.sharples@sea.samsung.com

Email Notification, Jordan Flournoy j.flournoy@sea.samsung.com

Email Notification, Simone Silva-Arrindell s.silva-arri@sea.samsung.com

Email Notification, Brittany McElmury Dietz b.dietz@sea.samsung.com

Email Notification, Josue Caballero j.caballero@sea.samsung.com

Email Notification, Gabriel Ramos g.ramos@partner.sea.samsung.com

Email Notification, Katherine Park hj2015.park@sea.samsung.com

REGISTERED AGENT CONTACT: C T Corporation System
 1999 Bryan Street
 Suite 900
 Dallas, TX 75201
 866-401-8252
 LargeCorporationTeam@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT



**CT Corporation
Service of Process Notification**

05/22/2025

CT Log Number 549195289

disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



Wolters Kluwer

PROCESS SERVER DELIVERY DETAILS

Date: Thu, May 22, 2025
Server Name: JON FOSTER

| | |
|---------------|-----------------------------------|
| Entity Served | SAMSUNG ELECTRONICS AMERICA, INC. |
| Case Number | CV-2025-01865 |
| Jurisdiction | TX |

Inserts



To Be Served On:

Samsung Electronics America,
Inc., c/o C T
Corporation System
1999 Bryan St., Ste. 900, Dallas,
TX 75201



County Court At Law #2
1450 E. McKinney St.,
2nd Floor
Denton Texas 76209

The State of Texas

CV-2025-01865

Allstate Indemnity Company and A Subsidiary of Erik Park VS. Samsung
Electronics America, Inc. and Samsung Electronics Co., Ltd.

CITATION

**To: Samsung Electronics America, Inc. c/o C T Corporation System
1999 Bryan St., Ste. 900
Dallas, TX 75201**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

YOU ARE DIRECTED to file a written answer to the Plaintiff's Original Petition filed on 21st day of May, 2025, on or before 10:00 a.m. on the Monday next after the expiration of twenty days after the date of service thereof with the Denton County Clerk.

The plaintiff and/or plaintiff's attorney(s) are:

Plaintiff(s): Allstate Indemnity Company

Attorney(s): Paul Vigushin
2201 N Central EXPY STE 115
Richardson TX 75080

The law enforcement officer or authorized entity shall execute this citation by Personal in the manner prescribed by law and returned as the law directs. The return and any document to which it is attached must be filed electronically.

ISSUED and given under my hand and seal of said court and office 5/21/2025.



BY:

Hannah Reynolds
Hannah Reynolds, Deputy
JULI LUKE, COUNTY CLERK
DENTON COUNTY, TEXAS
1450 E McKinney, Denton, TX 76209

To Be Served On:

Samsung Electronics America,
Inc., c/o C T
Corporation System
1999 Bryan St., Ste. 900, Dallas,
TX 75201



County Court At Law #2
1450 E. McKinney St.,
2nd Floor
Denton Texas 76209

The State of Texas

CV-2025-01865

Allstate Indemnity Company and A Subsidiary of Erik Park VS. Samsung
Electronics America, Inc. and Samsung Electronics Co., Ltd.

CITATION

**To: Samsung Electronics America, Inc. c/o C T Corporation System
1999 Bryan St., Ste. 900
Dallas, TX 75201**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

YOU ARE DIRECTED to file a written answer to the Plaintiff's Original Petition filed on 21st day of May, 2025, on or before 10:00 a.m. on the Monday next after the expiration of twenty days after the date of service thereof with the Denton County Clerk.

The plaintiff and/or plaintiff's attorney(s) are:

Plaintiff(s): Allstate Indemnity Company

Attorney(s): Paul Vigushin
2201 N Central EXPY STE 115
Richardson TX 75080

The law enforcement officer or authorized entity shall execute this citation by Personal in the manner prescribed by law and returned as the law directs. The return and any document to which it is attached must be filed electronically.

ISSUED and given under my hand and seal of said court and office 5/21/2025.



BY:

Hannah Reynolds
Hannah Reynolds, Deputy
JULI LUKE, COUNTY CLERK
DENTON COUNTY, TEXAS
1450 E McKinney, Denton, TX 76209

CAUSE NO. CV-2025-01865

| | | |
|--|---|----------------------|
| ALLSTATE INDEMNITY COMPANY, A/S/O ERIK PARK, | § | COUNTY COURT AT LAW |
| | § | |
| Plaintiff, | § | |
| | § | |
| vs. | § | NO. 2 |
| | § | |
| SAMSUNG ELECTRONICS AMERICA, INC., SAMSUNG ELECTRONICS CO., LTD., | § | |
| | § | |
| Defendants. | § | DENTON COUNTY, TEXAS |
| | § | |

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE COURT:

COMES NOW PLAINTIFF, ALLSTATE INDEMNITY COMPANY, A/S/O ERIK PARK (hereafter, "Allstate" or "Plaintiff"), Plaintiff in the above matter, complaining of Defendants, SAMSUNG ELECTRONICS AMERICA, INC., AND SAMSUNG ELECTRONICS CO., LTD., (collectively referred to as the "DEFENDANTS"), and for its causes of action would respectfully show the Court as follows:

EXPEDITED ACTION

I.

In accordance with TEX. R. CIV. P. 47(c)(1), Plaintiff notes that this case is governed by the expedited action process set out in TEX. R. CIV. P. 169 and states that it is seeking only monetary relief of \$250,000 or less, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney's fees. Plaintiff seeks minimum damages of at least \$75,000 and maximum damages not to exceed \$100,000.

THE PARTIES

II.

Allstate is an insurance company licensed to do business in the State of Texas. It insured a rental home belonging to Erik Park, which is located at 432 Wiltshire Blvd., The Colony, TX 75056 (the “Residence”).

Defendant, Samsung Electronics America, Inc., is a corporation that conducts business in the State of Texas. It may be served with process through its registered agent for service of process: C T Corporation System, 1999 Bryan St., Ste. 900, Dallas, TX 75201. Please issue a citation for service on the Defendant.

Defendant, Samsung Electronics Co., Ltd., is a corporation based in South Korea. It does business in the State of Texas but does not maintain a registered agent for service of process in this State. Therefore, Samsung Electronics Co., Ltd., may be served with process by serving the Secretary of State as the substituted agent for service of process under TEX. CIV. PRAC. & REM. CODE §§ 17.044(a) and (b) at the following address:

Office of the Secretary of State
Statutory Documents Section - Citations Unit
1019 Brazos St.
Austin, Texas 78701

The Secretary of State should be instructed to forward the Petition and citation to Samsung Electronics Co., Ltd., at its home office address, which is its principal place of business:

Samsung Electronics Co., Ltd.
129, Samsung-ro, Yeongtong-gu
Suwon-si, Gyeonggi-do, 16677
Republic of Korea

Alternatively, Samsung Electronics Co., Ltd., may be served with process through South Korea’s designated Central Authority under the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (commonly referred to as the “Hague Convention”). South Korea’s Central Authority may serve process on Samsung Electronics Co., Ltd.,

at:

Samsung Electronics Co., Ltd.
129, Samsung-ro, Yeongtong-gu
Suwon-si, Gyeonggi-do, 16677
Republic of Korea

III.

Venue is proper in Denton County, Texas, where the loss in question occurred. The Court has jurisdiction over both the parties and the subject matter of this lawsuit. As a proximate result of the flood, Plaintiff incurred damages far in excess of the minimum jurisdictional limits of this Court. The damages suffered include, but are not limited to, damage to Plaintiff's insured's real and personal property and additional living expenses. Plaintiff seeks to recover maximum damages of \$100,000, inclusive of pre-judgment interest, post-judgment interest and court costs.

FACTS

IV.

At all times relevant herein, Defendants were engaged in the business of, inter alia, designing, manufacturing, marketing, selling and/or distributing Samsung brand refrigerators. The particular refrigerator which failed and leaked at the Residence had the following characteristics: Samsung brand French Door Refrigerator with FlexZone™, Model No. RF23M8090SG, Serial No. 093N43BJ500417H. Based on information and belief, the refrigerator was manufactured in or about May 2017. Inside of this refrigerator was a Waterdrop brand water filter cartridge, Model No. WD-DA97-17376B, which is believed to have been manufactured in March 2020.

V.

On June 4, 2024, Plaintiff's insured's rental home suffered extensive water damage when the water filter installed inside of the refrigerator cracked/broke and leaked. Based on information and belief, the temperature inside of the refrigerator dropped below freezing, freezing the water inside of

the filter, which caused the filter to crack. When the ice inside of the now cracked filter thawed, water began flowing out of the filter, out of the refrigerator, and onto the floor of Plaintiff's insured's rental home, causing extensive damage to the home. Following the flood, Plaintiff's insured filed a claim under his homeowner's policy with Plaintiff. Plaintiff adjusted and paid the claim and now brings this suit, as subrogee of its insured, to recover what it paid for damage caused by Defendants' defective product.

CAUSES OF ACTION

STRICT LIABILITY

VI.

Plaintiff pleads, reinstates and realleges the previous paragraphs above as if set forth fully herein and would further show the Court the following:

The refrigerator failed as a result of manufacturing and/or design defect. Based on information and belief, that defect was present when the refrigerator left Defendants' possession and/or control and was installed in Plaintiff's insured's residence.

Prior to the date of the incident that is the basis of this suit, Defendants manufactured, designed and/or distributed the refrigerator so as to render it defective, unsafe and/or unreasonably dangerous. Defendants manufactured, designed and/or distributed a product that was unreasonably dangerous for its reasonably foreseeable uses. Defendants breached their duties to manufacture and/or distribute a safe product to Plaintiff's insured.

VII.

Each of the above-referenced acts and omissions, singly or in combination with others, constituted a breach of Defendants' duties to manufacture and/or distribute a product that is reasonably safe for its intended uses and proximately caused the damages suffered by Plaintiff's

insured, which are in excess of the minimum jurisdictional limits of this Court.

NEGLIGENCE

VIII.

Plaintiff pleads, reinstates and realleges the previous paragraphs above as if set forth fully herein and would further show the Court the following:

At the time of the incident, Defendants owed a duty to Plaintiff to exercise reasonably prudent and ordinary care in the design, manufacture and/or distribution of the refrigerator installed in Plaintiff's insured residence. The Defendants violated this duty by negligently designing, manufacturing and/or distributing the refrigerator installed in Plaintiff's insured's and by failing to act as a reasonably prudent person would have under the same or similar circumstances. Defendants' negligent acts or omissions include, but are not limited to:

1. Failing to manufacture and/or design the refrigerator in a safe manner;
2. Failing to ensure that the refrigerator installed in Plaintiff's insured's residence was manufactured and/or designed in a safe manner;
3. Failing to properly and adequately manufacture and/or design the refrigerator installed in Plaintiff's insured's residence;
4. Selling and/or distributing a defective refrigerator installed in Plaintiff's insured's residence that subjected Plaintiff's insured and his property to an unreasonable risk of harm;
5. Failing to test the refrigerator installed in Plaintiff's insured's residence to ensure it was safe for its intended use;
6. Failing to act as a reasonably prudent person would have under the same or similar circumstances; and
7. Otherwise failing to use due care under the circumstances.

IX.

Each of the above-referenced acts and omissions, singly or in combination with others, constituted negligence, which proximately caused the damages suffered by Plaintiff, which are far in

excess of the minimum jurisdictional limits of this Court.

BREACH OF EXPRESS AND IMPLIED WARRANTY

X.

Plaintiff pleads, reinstates and realleges the previous paragraphs above as if set forth fully herein and would further show the Court the following:

At all times material herein, Defendants expressly and/or impliedly warranted that the refrigerator installed in Plaintiff's insured's residence was merchantable and fit for ordinary use. Defendants breached these express and/or implied warranties in one or more of the following respects:

1. Failing to manufacture and/or design the refrigerator in a safe manner;
2. Failing to ensure that the refrigerator installed in Plaintiff's insured's residence was manufactured and/or designed in a safe manner;
3. Failing to properly and adequately manufacture and/or design the refrigerator installed in Plaintiff's insured's residence;
4. Selling and/or distributing a defective refrigerator installed in Plaintiff's insured's residence that subjected Plaintiff's insured and his property to an unreasonable risk of harm;
5. Failing to test the refrigerator installed in Plaintiff's insured's residence to ensure it was safe for its intended use;
6. Failing to act as a reasonably prudent person would have under the same or similar circumstances; and
7. Otherwise failing to use due care under the circumstances.

XI.

Each of the above-referenced acts and omissions, singly or in combination with others, constituted a breach of the above express and/or implied warranties. As a direct and proximate result, Plaintiff suffered damages, which are far in excess of the minimum jurisdictional limits of this Court.

XII.

MALFUNCTION THEORY/RES-IPSA LOQUITUR

Plaintiff pleads, reinstates and realleges the previous paragraphs above as if set forth fully herein and would further show the Court the following:

Plaintiff's insured did nothing to cause the malfunction of the refrigerator installed in her residence. The refrigerator would not have malfunctioned but for Defendants' negligence in designing and/or manufacturing the unit. Plaintiff pleads for recovery under both malfunction theory and *res ipsa loquitur*.

PRAYER

XIII.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants be cited to appear and to answer herein and that upon final hearing, the Court enter judgment in favor of Plaintiff against Defendants, which is far in excess of the minimum jurisdictional limits of this Court, for compensatory and/or economic damages, including, but not limited to, damages for real and personal property and additional living expenses, cost of repair, costs of court, and pre- and post-judgment interest at the highest rate allowed by law, and for such other and further relief, general or special, at law or in equity, to which Plaintiff may show itself to be justly entitled.

Respectfully submitted,

/s/ Paul Vigushin

PAUL VIGUSHIN
State Bar No. 00797600
LAW OFFICES OF PAUL VIGUSHIN, P.C.
2201 N. Central Expy., Ste. 115
Richardson, TX 75080
(972) 705-9911 (tel.)
paul@pv-law.com
ATTORNEY FOR PLAINTIFF

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Paul Vigushin on behalf of Paul Vigushin
Bar No. 00797600
paul@pv-law.com
Envelope ID: 101101599
Filing Code Description: Petition
Filing Description:
Status as of 5/21/2025 11:33 AM CST

Case Contacts

| Name | BarNumber | Email | TimestampSubmitted | Status |
|---------------|-----------|-----------------|-----------------------|----------|
| Paul Vigushin | | paul@pv-law.com | 5/21/2025 11:19:49 AM | NOT SENT |

EXHIBIT 2

Filed: 5/26/2025 12:07 PM

Juli Luke

Denton County, County Clerk

By:Tina Brown , Deputy

To Be Served On:

Samsung Electronics America,
Inc., c/o C T
Corporation System
1999 Bryan St., Ste. 900, Dallas,
TX 75201



County Court At Law #2

1450 E. McKinney St.,

2nd Floor

Denton Texas 76209

The State of Texas

CV-2025-01865

Allstate Indemnity Company and A Subsidiary of Erik Park VS. Samsung
Electronics America, Inc. and Samsung Electronics Co., Ltd.

CITATION

**To: Samsung Electronics America, Inc. c/o C T Corporation System
1999 Bryan St., Ste. 900
Dallas, TX 75201**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

YOU ARE DIRECTED to file a written answer to the Plaintiff's Original Petition filed on 21st day of May, 2025, on or before 10:00 a.m. on the Monday next after the expiration of twenty days after the date of service thereof with the Denton County Clerk.

The plaintiff and/or plaintiff's attorney(s) are:

Plaintiff(s): Allstate Indemnity Company

Attorney(s): Paul Vigushin
2201 N Central EXPY STE 115
Richardson TX 75080

The law enforcement officer or authorized entity shall execute this citation by Personal in the manner prescribed by law and returned as the law directs. The return and any document to which it is attached must be filed electronically.

ISSUED and given under my hand and seal of said court and office 5/21/2025.



BY:

Hannah Reynolds
JULI LUKE, COUNTY CLERK
DENTON COUNTY, TEXAS
1450 E McKinney, Denton, TX 76209

CAUSE NO. CV-2025-01865

ALLSTATE INDEMNITY COMPANY A/S/O ERIK PARK §
§
Plaintiff, §
VS. §
§
DENTON COUNTY, TEXAS
SAMSUNG ELECTRONICS AMERICA, INC., SAMSUNG §
ELECTRONICS CO., LTD. §
Defendant. §
§
COUNTY COURT AT LAW NO. 2

AFFIDAVIT OF SERVICE

"The following came to hand on **May 21, 2025, 1:55 pm,**

CITATION AND PLAINTIFF'S ORIGINAL PETITION,

and was executed at **1999 BRYAN STREET, SUITE 900, DALLAS, TX 75201** within the county of **DALLAS** at **11:46 PM** on **Thu, May 22, 2025**, by delivering a true copy to the within named

**SAMSUNG ELECTRONICS AMERICA, INC., BY DELIVERING TO ITS REGISTERED AGENT, CT CORPORATION SYSTEM,
WHERE THE DOCUMENT WAS ACCEPTED BY HAILE GREENLEE, INTAKE SPECIALIST**

in person, having first endorsed the date of delivery on same.

I am a person over eighteen (18) years of age, and I am competent to make this affidavit. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."

My name is **CRISTI WHITE**, I am at least 18 years old, and my address is **PO Box 130743, Dallas, TX 75313**, and **United States of America**. I declare under penalty of perjury that the foregoing is true and correct.

Executed in **DALLAS** County, State of **TX**, on **May 22, 2025**.

Christi White

CRISTI WHITE
Certification Number: PSC-22936
Certification Expiration: 08/31/2025

Subscribed and sworn on the 23rd of May, 2025

Lori Ann Simpson

Notary

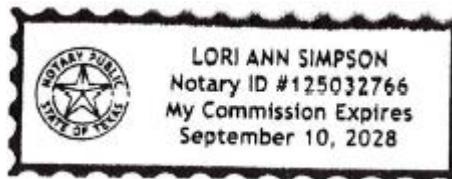


EXHIBIT 3

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**ALLSTATE INDEMNITY COMPANY,
A/S/O ERIK PARK,**

Plaintiff,

v.

**SAMSUNG ELECTRONICS AMERICA,
INC., SAMSUNG ELECTRONICS CO.,
LTD.,**

Defendants.

Civ. Case No. _____

**EXHIBIT C TO DEFENDANT SAMSUNG ELECTRONICS AMERICA, INC.'S NOTICE
OF REMOVAL – INDEX OF DOCUMENTS FILED IN THE STATE COURT ACTION**

Pursuant to Local Rule 81(c)(2), Defendant SAMSUNG ELECTRONICS AMERICA, INC. file this Index of Documents Filed in State Court, as of the date Defendants filed its Notice of Removal, and as of the date of this Index being filed.

| Index No. | Date Filed | Description |
|------------------|-------------------|---|
| 1 | 5/21/2025 | Plaintiff's Original Petition |
| 2 | 5/27/2025 | Return of Service on Samsung Electronics Americas, Inc. |
| 3 | 6/16/2025 | Samsung Electronics Americas, Inc.'s Original Answer with Jury Demand |

Respectfully submitted,

**WILSON ELSER
MOSKOWITZ EDELMAN
& DICKER, L.L.P.**

By: /s/ Allison J. Maynard
Allison J. Maynard
State Bar No. 24055923
Allison.maynard@wilsonelser.com
Santander Plaza
1601 Elm Street,
Suite 2600
Dallas, TX 75201
Telephone: 214-698-8082
Facsimile: 214-698-1101

**COUNSEL FOR DEFENDANT
SAMSUNG ELECTRONICS AMERICA,
INC.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing instrument has been duly and properly served upon all counsel herein in accordance with the Texas Rules of Civil Procedure, on this the 20th day of June, 2025.

LAW OFFICES OF PAUL VIGUSHIN, P.C.

Paul Vigushin
State Bar No. 00797600
2201 N. Central Expy., Ste. 115
Richardson, TX 75080
(972) 705-9911
paul@pv-law.com

Attorneys for Plaintiff
**ALLSTATE INDEMNITY COMPANY,
A/S/O ERIK PARK**

/s/ Allison J. Maynard
Allison J. Maynard

CAUSE NO. CV-2025-01865

**DEFENDANTS SAMSUNG ELECTRONICS AMERICA, INC. LIST OF ALL PARTIES
IN CASE, PARTY TYPE, ATTORNEYS, CURRENT STATUS OF REMOVED CASE
AND THE COURT FROM WHICH THE CASE WAS REMOVED**

PLEASE TAKE NOTICE that SAMSUNG ELECTRONICS AMERICA, INC. provides this list of all parties in the case, party type, attorneys, current status of the removed case and the name and address of the court from which the case was removed pursuant to Local Rule §§ CV-81(1), (3) and (5).

(1) LAW OFFICES OF PAUL VIGUSHIN, P.C.

Paul Vigushin
State Bar No. 00797600
2201 N. Central Expy., Ste. 115
Richardson, TX 75080
Telephone: (972) 705-9911
paul@pv-law.com

Attorneys for Plaintiff
ALLSTATE INDEMNITY COMPANY,

**DEFENDANTS SAMSUNG ELECTRONICS AMERICA, INC.
LIST OF ALL PARTIES IN CASE, PARTY TYPE, ATTORNEYS,
CURRENT STATUS OF REMOVED CASE AND THE COURT FROM
WHICH THE CASE WAS REMOVED**

A/S/O ERIK PARK

**WILSON, ELSE, MOSKOWITZ,
EDELMAN & DICKER, L.L.P.**

Allison J. Maynard
State Bar No. 24055923
Allison.maynard@wilsonelser.com

Michael T. Smith
State Bar No. 24117985
Michael.smith@wilsonelser.com
Santander Plaza
1601 Elm Street,
Suite 2600
Dallas, TX 75201
Telephone: 214-698-8082

**COUNSEL FOR DEFENDANT
SAMSUNG ELECTRONICS AMERICA, INC.**

- (2) Case Status - Pending
- (3) Court form Which Case Was Removed:

County Court at Law No. 2 , Denton County, State of Texas
1450 E McKinney Street
Suite 2510, 2nd Floor
Denton, TX 76209

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing instrument has been duly and properly served upon all counsel herein in accordance with the Texas Rules of Civil Procedure, on this the 20th day of June, 2025.

LAW OFFICES OF PAUL VIGUSHIN, P.C.

Paul Vigushin
State Bar No. 00797600
2201 N. Central Expy., Ste. 115
Richardson, TX 75080
(972) 705-9911
paul@pv-law.com

Attorneys for Plaintiff

**ALLSTATE INDEMNITY COMPANY,
A/S/O ERIK PARK**

DEFENDANTS SAMSUNG ELECTRONICS AMERICA, INC.
LIST OF ALL PARTIES IN CASE, PARTY TYPE, ATTORNEYS,
CURRENT STATUS OF REMOVED CASE AND THE COURT FROM
WHICH THE CASE WAS REMOVED

Page 3

Skip to Main Content Logout My Account Search Menu New Civil Search Refine Search Back Location : All JP & County Courts Help

REGISTER OF ACTIONS

CASE NO. CV-2025-01865

Allstate Indemnity Company and A Subsidiary of Erik Park VS. Samsung Electronics America, Inc. and Samsung Electronics Co., Ltd.

Case Type: Other Product Liability
Date Filed: 05/21/2025
Location: County Court At Law #2
Judicial Officer: Ramirez, Robert C.
File Custody/Location: Electronic File

PARTY INFORMATION

Defendant Samsung Electronics America, Inc.

Lead Attorneys
Michael Theo Smith
Retained
1601 Elm St., Ste. 2600
Dallas, TX 75201

214-698-8069(W)
214-259-8792(F)

Defendant **Samsung Electronics Co., Ltd.**

Plaintiff Allstate Indemnity Company A Subsidiary
of Park, Erik

Paul Vigushin
Retained
2201 N Central EXPY
STE 115
Richardson, TX 75080

EVENTS & ORDERS OF THE COURT

| OTHER EVENTS AND HEARINGS | | | |
|---------------------------|---|--------------------|--------------------------|
| 05/21/2025 | Plaintiff's Original Petition (OCA) | | |
| 05/21/2025 | Request for Issuance of Citation | | |
| 05/21/2025 | Service Issued <i>Samsung America</i> | | |
| 05/21/2025 | Citation Samsung Electronics America, Inc. | Served Returned | 05/22/2025 05/26/2025 |
| 05/21/2025 | Service Issued <i>by SOS - Samsung Co.</i> | | |
| 05/21/2025 | Citation <i>by SOS</i> Samsung Electronics Co., Ltd. | Served Returned | 05/21/2025 05/27/2025 |
| 05/21/2025 | Service Issued <i>Samsung Co.</i> | | |
| 05/21/2025 | Citation Samsung Electronics Co., Ltd. | Unserved | |
| 05/27/2025 | Service Returned <i>Samsung Co. by SOS</i> | | |
| 05/27/2025 | Service Returned <i>Samsung America</i> | | |
| 06/16/2025 | Original Answer <i>Samsung America</i> | | |

FINANCIAL INFORMATION

| | | |
|-------------------------------------|----------------------------|----------------------------|
| Plaintiff | Allstate Indemnity Company | |
| Total Financial Assessment | | 374.00 |
| Total Payments and Credits | | 374.00 |
| Balance Due as of 06/20/2025 | | 0.00 |
| 05/21/2025 Transaction Assessment | | 374.00 |
| 05/21/2025 TexFile Payment | Receipt # 2025-2840 | Allstate Indemnity Company |
| 05/21/2025 State Credit | | (237.00) |
| | | (137.00) |